

INSTRUCTIONS

Read all forms and instructions before starting. Fill out forms by printing in blue ink or typing. Do not fill in un-numbered blanks on forms. A person who has a guardian and/or conservator is called a “ward”. Though the packet uses the singular of “guardian” and “conservator”, you may list more than one.

Notaries: Some forms must be signed in front of a notary public. You can find a notary at most banks or listed in the Yellow Pages. The person signing must bring photo ID. Notaries usually charge a fee.

Filing Forms with the Court: Take or mail forms to be filed to the Clerk of Superior Court, 200 N. San Francisco St., Flagstaff, AZ 86001. Submit the original, one copy for yourself, and one copy for each person you must give a copy to, if any. The Clerk will stamp your copies with the filing date and return them to you. If you file by mail, include a self-addressed, stamped envelope and a note asking the Clerk to return the copies.

STEP 1: DECIDE BETWEEN TERMINATION AND RESIGNATION

Termination: The court may terminate guardianship and/or conservatorship when the ward dies or is no longer incapacitated.

Resignation: If you want to step down as guardian and/or conservator for any other reason, you may ask the court to accept your resignation.

STEP 2: IF THE WARD IS NO LONGER INCAPACITATED: FILL OUT AND DELIVER THE HEALTH PROFESSIONAL’S REPORT

1. Find a physician, registered nurse, psychologist, or psychiatrist to examine the proposed ward and report to the court that the ward is no longer incapacitated. If you have inpatient mental health care authority, get this report from a psychologist or psychiatrist, as described in the Order to Guardian and/or Conservator. You must pay the health professional for this service.
2. Fill out the Health Professional’s Report:
 - (1) Enter your name; street address; city, state, and zip code; and phone number.
 - (2) Enter the ward’s name.
 - (3) Enter the case number as it appears on the Petition that started this case.
3. Deliver the Report to the health professional.
4. The health professional will deliver the completed Report to you.

STEP 3: FILL OUT THE PETITION TO DISCHARGE THE GUARDIAN AND/OR CONSERVATOR

- (1) Enter your name, address, and phone number.
- (2) Enter the ward’s name.
- (3) Enter the case number as it appears on the Petition that started this case.
- (4) Check the box indicating whether the ward has a guardian, a conservator, or both.
- (5) Check the box indicating whether you are the guardian, the conservator, or both.
- (6) Enter your name.
- (7) If you are resigning as guardian and/or conservator, and there is another guardian and/or conservator who is not resigning, enter the other guardian and/or conservator’s name.

- (8) If you want guardianship and/or conservatorship to terminate, check the box indicating whether you want guardianship, conservatorship, or both to terminate, and check the box indicating each reason that applies. If you check “died”, attach a copy of the ward’s death certificate. If you check “is no longer incapacitated”, attach the Health Professional’s Report. If you check “Other”, explain.
- (9) If you want to resign as guardian and/or conservator, explain why.
- (10) If another court has held a hearing on this guardianship and/or conservatorship, enter that court’s name, the case number and name, and the judge’s name and phone number.
- (11) If the ward has an attorney, enter the attorney’s name, phone number, and address.
- (12) If you want conservatorship to end, and you want funds released from a restricted account, for each account, enter the bank or institution name, the name on the account, an account description (such as “savings”, “checking”, “money market”, etc.), and the value.
- (13) Enter the name and address of 1) the ward 2) their spouse, 3) their living parents, 4) their children over 17, 5) the ward’s closest adult relative if you can find no parent, spouse, or child over 17, 6) their guardian and/or conservator other than you, 7) people having care or custody of them, and 8) people who filed a demand for notice.
- (14) Read the Petition and make sure that you understand everything in it and that everything in it is true. Sign in front of a notary.

STEP 4: FILL OUT THE ORDER REGARDING THE DISCHARGE OF THE GUARDIAN AND/OR CONSERVATOR

- (1) Enter your name, address, and phone number.
- (2) Enter the ward’s name.
- (3) Enter the case number.
- (4) Check the box indicating whether the ward has a guardian, a conservator, or both.
- (5) Enter your name.
- (6) If you are resigning as guardian and/or conservator, and there is another guardian and/or conservator who is not resigning, enter the other guardian and/or conservator’s name.
- (7) If you want guardianship and/or conservatorship to terminate, check the box indicating whether guardianship and/or conservatorship should terminate and each reason that applies. If you check “Other”, explain.
- (8) If you want to resign as guardian and/or conservator, explain why.
- (9) If you want guardianship and/or conservatorship to terminate, check the box.
- (10) If you want to resign as guardian and/or conservator, check the box. Do not fill in the blank.
- (11) If you want conservatorship to end, check the box. Do not fill in the blanks.
- (12) If you want conservatorship to end, and you want funds released from a restricted account, for each account, enter the bank or institution name, the name on the account, an account description (such as “savings”, “checking”, “money market”, etc.), and the value.

STEP 5: FILL OUT THE NOTICE OF HEARING

- (1) Enter your name, address, and phone number.
- (2) Enter the ward’s name, and check the box indicating whether they are an adult or a minor.
- (3) Enter the case number.

STEP 6: FILL OUT THE ORDER APPOINTING A COURT INVESTIGATOR

- (1) Enter your name, address, and phone number.
- (2) Enter the ward’s name.
- (3) Enter the case number.

**STEP 7: IF YOU ARE THE GUARDIAN:
FILL OUT THE GUARDIAN'S REPORT UPON DISCHARGE**

See the INSTRUCTIONS: GUARDIAN'S REPORT in this packet.

**STEP 8: IF YOU ARE THE CONSERVATOR:
FILL OUT THE CONSERVATOR'S ACCOUNTING UPON DISCHARGE**

See the INSTRUCTIONS: CONSERVATOR'S ACCOUNTING in this packet.

**STEP 9: IF YOU ARE THE CONSERVATOR:
FILL OUT THE FINAL ACCOUNTING**

If You are Resigning as Conservator, and There is Another Conservator Who is Not Resigning:
Skip this step. You do not need to complete this form.

Copy All Accountings: Photocopy Page 1 of each Accounting you filed during the conservatorship including the Accounting Upon Discharge. Type or print "Exhibit A" at the top of the first Accounting, "Exhibit B" at the top of the second, and so on.

- (1) Enter your name, address, and phone number.
- (2) Enter the ward's name, and check the box indicating whether they are an adult or a minor.
- (3) Enter the case number.
- (4) Check the box indicating which ward's guardianship and/or conservatorship you want to end.
- (5) Enter the date the judge signed the Order Appointing a Guardian and/or Conservator.
- (6) Enter the Accounting Period Closing Date listed on the Accounting Upon Discharge.
- (7) Enter the Total Value of Estate listed on the Inventory of Estate you filed at the start of this case.
- (8) Add the Receipts listed on each Accounting you copied, and enter the total.
- (9) Add the Gains listed on each Accounting you copied, and enter the total.
- (10) Add the Disbursements listed on each Accounting you copied, and enter the total.
- (11) Add the Losses listed on each Accounting you copied, and enter the total.
- (12) Enter the Total Debts listed on the Inventory of Estate you filed at the start of this case.
- (13) Enter the Ending Balance of Debts listed on the Accounting Upon Discharge.
- (14) Add the Beginning Balance, Receipts, and Gains; subtract the Disbursements, Losses, and Ending Balance of Debts; and enter the result. It must equal the Ending Balance on the Accounting Upon Discharge.
- (15) Enter the name and address of each person listed on the Accounting Upon Discharge under "Certificate of Delivery".
- (16) Date and sign.

STEP 10: FILE THE FOLLOWING WITH THE COURT

- ☐ Petition to Discharge the Guardian and/or Conservator with the following attached if applicable:
 - ☐ a copy of the ward's death certificate
 - ☐ Health Professional's Report
- ☐ Order Regarding the Discharge of the Guardian and/or Conservator
- ☐ Notice of Hearing
- ☐ Order Appointing a Court Investigator

- [] If applicable, Guardian's Report Upon Discharge with the following attached:
 - [] Physician's Report to Guardian
 - [] Evaluation Report, if applicable
- [] If applicable, Conservator's Accounting Upon Discharge with the following attached:
 - [] An Exhibit A: Income and Disbursements for each applicable account
 - [] Exhibit B: Gains and Losses
 - [] Exhibit C: Inventory of Estate
 - [] A copy of the final bank statement of the accounting period for each account
- [] If applicable, Final Accounting with the following attached:
 - [] A copy of Page 1 of each Accounting you filed during the conservatorship including the Accounting Upon Discharge

STEP 11: THE COURT WILL MAIL YOU THE SIGNED NOTICE OF HEARING

STEP 12: GIVE NOTICE OF THE HEARING TO THE REQUIRED PEOPLE

See the INSTRUCTIONS: GIVING NOTICE OF THE HEARING in this packet. Giving notice can be complicated and time-consuming. Make sure you understand the procedures before beginning the discharge process.

**STEP 13: AFTER YOU GIVE NOTICE:
FILL OUT THE PROOF OF NOTICE**

- (1) Enter your name, address, and phone number.
- (2) Enter the ward's name, and check the box indicating whether they are an adult or a minor.
- (3) Enter the case number.
- (4) List each document you served.
- (5) For each person you notified, enter the name, address, notice method; and date notice was complete. (Notice methods: mail, hand-delivery, acceptance, process server, sheriff, tribal law enforcement, publication)
- (6) Date and sign.

STEP 14: FILE THE PROOF OF NOTICE WITH THE COURT BEFORE THE HEARING

STEP 15: GO TO THE HEARING

Be prepared to testify about why you think the guardianship and/or conservatorship should end. Bring any witnesses and the original and three copies of any evidence that may support your case. For general information about representing yourself in court, see the Self-Help Center packet *Representing Yourself in Court*.

If the judge grants your requests, the court will sign the Order Regarding the Discharge of the Guardian and/or Conservator at the hearing.

**STEP 16: IF THE COURT ENDS CONSERVATORSHIP AND YOU ARE THE
CONSERVATOR:
TRANSFER THE WARD'S ASSETS**

Immediately transfer restricted funds and title to the ward's assets to the ward if the court terminated conservatorship or to the successor conservator if the court appointed one.